

Serial No.: 10/672,641

Attorney Docket No.: 2003P08214US

**REMARKS**

Upon entry of the instant Amendment, Claims 1-32 are pending. Claims 1, 9, 15, and 24 have been amended to more particularly point out Applicants' invention.

Claims 1-3, 5, 7-10, 12-15, 17-18 and 24 have been rejected under 35 U.S.C. 103 as being unpatentable over Knauerhase et al., U.S. Patent Publication No. 2003/0104819 A1 ("Knauerhase") in view of Callegari, U.S. Patent Publication No. 2003/0154293 ("Callegari"). Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Knauerhase or Callegari, either singly or in combination.

As described in the Specification, and in Response to the previous Official Action, aspects of the present invention relate to a telecommunications system including a plurality of network clients including a positioning controller and a communications controller; and a positioning server including a coordinating controller for maintaining a database of network clients to be tracked and provide updates of position-related information to a presence server. The plurality of network clients are configured to transmit position information received via the positioning controller to the positioning server using the communications controller. In certain embodiments of the present invention, the position information is received from a global positioning system. In certain embodiments, a user can define one or more geographical areas for association with the location-presence rules through use of a mapping engine. In particular, in some embodiments, the user can define a geographical area including a user-defined boundary around the area. In addition, rules and status updates may be transmitted and received using a telephony interface, e.g., by dialing a 1-800 number (for the server) or the cellular telephone number.

Thus, claim 1 has been amended to recite "said communications controller comprising a telephony controller;" claims 9, 15, and 24 have been amended to recite a telephony interface.

In contrast, while Knauerhase provides a system for "automatically updating presence information," Knauerhase does not appear to provide, inter alia, the method of defining location-presence rules or pairs, including use of a mapping engine to define

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a user-defined area boundary, as generally recited in the claims at issue. Further, Knauerhase does not appear to provide for uploading presence rules to the device via a telephony interface or transmitting presence updates via a telephony interface. While Knauerhase provides a network adapter, this does not appear to be a telephony interface.

Callegari is relied on for allegedly teaching manually defining a geographical area. Even if true, however, like Kanuerhase, Callegari does not appear to provide for transmitting or receiving rules or updates via a telephony interface or network. Further, Knauerhase explicitly teaches that manual intervention is undesirable (see Para. 0004). Thus, if anything, Knauerhase teaches away from combination with Callegari.

As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claim 4 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Knauerhase in view of Callegari and Miyamoto, U.S. Patent Publication No. 2003/0114171 A1 ("Miyamoto"). Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Knauerhase, Callegari or Miyamoto, either singly or in combination.

Knauerhase and Callegari been discussed above. Miyamoto is relied on for allegedly teaching using e-mail for position notification. However, like Knauerhase and Callegari, Miyamoto fails to teach suggest, or imply the invention of the underlying claims. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claim 6 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Knauerhase, Callegari and further in view of Zmolek, U.S. Patent Publication No. 2003/0154293 ("Zmolek"). Knauerhase and Callegari been discussed above. However, like Knauerhase and Callegari, Zmolek fails to teach suggest, or imply the invention of the underlying claims. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claims 19-20, 22-23, and 25-32 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Knauerhase in view of Giniger et al., U.S. Patent No.

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6,985,742 ("Giniger"). Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Knauerhase or Giniger, either singly or in combination.

Knauerhase has been discussed above. Giniger is relied on for allegedly teaching providing position related information to mobile recipients. However, like Knauerhase, Giniger fails to teach, inter alia, defining a geographical area for use in location-presence rules using a mapping engine. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection

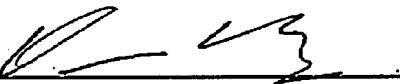
Claim 21 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Knauerhase in view of Giniger and Miyamoto. Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Knauerhase, Giniger, or Miyamoto, either singly or in combination. Each of these references has been discussed above. For similar reasons, Applicants respectfully submit that this claim, too, is allowable.

For all of the above reasons, Applicants respectfully submit that the application is in condition for allowance, which allowance is earnestly solicited.

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Respectfully submitted,

SIEMENS CORPORATION  
Customer Number: 28524  
Intellectual Property Department  
170 Wood Avenue South  
Iselin, New Jersey 08830  
ATTENTION: Elsa Keller, IP Department  
Telephone: (732) 321-3026

By:   
David D. Chung  
Registration No. 38,409  
Attorney for Applicants  
Tel: 408-492-5336  
Fax: 408-492-3122